

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

CAPITAL FACTORS, INC.,
PLAINTIFF

V.

THE FRYDAY CLUB, INC., TURNER
INDUSTRIES II, LTD., BOBBY H. TURNER,
and O.T.T.O., INC.,
DEFENDANTS

3:01cv422


ORDER

The above-captioned case was removed to the Bankruptcy Court for the Western District of Kentucky. On September 15, 2005, this Court ordered the Clerk of Court to close this matter in the Western District of North Carolina.

It appears that funds in the amount of \$949,721.00 were deposited in the Court's registry and invested in an interest-bearing account pending the outcome of this case. As there are no questions remaining before this Court, it appears that these funds should be transferred to the Western District of Kentucky Bankruptcy Court.

IT IS THEREFORE ORDERED that the Clerk of Court release said funds, along with all accrued interest, less applicable registry fees, to the Clerk of the U. S. Bankruptcy Court for the Western District of Kentucky and serve a copy of this order on all parties and the Financial Administrator.

This the 14th day of February, 2006.


GRAHAM C. MULLEN
UNITED STATES DISTRICT JUDGE